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Attorneys for Plaintiffs Wortman, Adams and Garcia and
the Proposed Class

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

JOINT STIPULATION PURSUANT TO LOCAL RULE 6-1 EXTENDING TIME TO RESPOND TO COMPLAINT &
AGREEMENT OF DEFENSE COUNSEL TO ACCEPT SERVICE OF COMPLAINT -- CASE NO. 07-5634

1 Pursuant to Local Rule 6-1, and in light of the February 19, 2008 Judicial Panel on
 2 Multidistrict Litigation (“JPML”) Transfer Order consolidating this case and the other
 3 Transpacific Passenger Air cases, Plaintiffs Donald Wortman, William Adams, and Margaret
 4 Garcia (“Plaintiffs”), and defendant Malaysian Airline System Bhd (sued herein as “Malaysia
 5 Airlines” and herein referenced as “Defendant”), through counsel, hereby stipulate and agree as
 6 follows:

7 IT IS HEREBY STIPULATED AND AGREED that Defendant’s time to answer, move or
 8 otherwise plead is enlarged until either: (1) 45 days after plaintiffs in the Transpacific Passenger
 9 Air cases file and serve a consolidated amended complaint; or, (2) 45 days after plaintiffs in the
 10 Transpacific Passenger Air cases provide notice that a consolidated amended complaint will not
 11 be filed.

12 IT IS FURTHER STIPULATED AND AGREED that defense counsel shall accept service
 13 on behalf of Defendant of the summons and complaints in the above-captioned matter, including
 14 any amended or consolidated complaints, by personal delivery to the office of defense counsel.
 15 In this regard, Defendant shall not contest the sufficiency of process or service of process on the
 16 grounds that service was made on defense counsel and not directly to Defendant. This
 17 Stipulation does not constitute a waiver of any other defense including, but not limited to, the
 18 defenses of lack of personal or subject matter jurisdiction or improper venue. Nothing in this
 19 paragraph shall obligate Defendant to answer, move, or otherwise respond to any complaint until
 20 the time provided in the preceding paragraph.

21 IT IS SO STIPULATED.

22 Respectfully Submitted,

23 Dated: February 26, 2008

24 By: /s/ Neil Swartzberg

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9
 10 *Attorneys for Plaintiffs Wortman, Adams and*
 11 *Garcia and the Proposed Class*

12 Dated: February 26, 2008

13 By: /s/ Benjamin D. Weston
 14 David A. Senior
 15 Benjamin D. Weston
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23 *Attorneys for Defendant Malaysia Airlines*

24 ATTESTATION OF FILING

25 Pursuant to N.D. Cal. General Order No. 45, section 45 X(B), I, Neil Swartzberg, hereby
 26 attest that concurrence in the filing of this stipulation and proposed order has been obtained from
 27 Counsel for Defendant Malaysia Airlines who has provided the conformed signature above.

28 COTCHETT, PITRE & MCCARTHY

29 By: /s/ Neil Swartzberg
 30 Neil Swartzberg

31 *Attorneys for Plaintiffs Wortman, Adams and*
 32 *Garcia and the Proposed Class*